

District Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EUGENIU MARIAN,

Plaintiff,

v.

UR M. JADDOU, *et al.*,

Defendants.

Case No. 2:24-cv-00619-RSM

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for Consideration:
June 21, 2024

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to hold this case in abeyance until December 4, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate his Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on July 12, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until December 4, 2024.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
3 control the disposition of the causes on its docket with economy of time and effort for itself, for
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
5 P. 1.

6 With additional time, this case may be resolved without the need of further judicial
7 intervention. USCIS has scheduled Plaintiff’s asylum interview for August 6, 2024. USCIS
8 agrees to diligently work towards completing the adjudication within 120 days of the interview,
9 absent unforeseen or exceptional circumstances that would require additional time for
10 adjudication. If the adjudication is not completed within that time, USCIS will provide a status
11 report to the Court. Plaintiff will submit all supplemental documents and evidence, if any, to
12 USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to submit
13 documents prior to the interview may require the interview to be rescheduled and the adjudication
14 delayed. If needed, Plaintiff will bring an interpreter to the interview, otherwise the interview
15 will need to be rescheduled and the adjudication delayed. After the interview, USCIS will need
16 time to adjudicate Plaintiff’s asylum application. Once the application is adjudicated, Plaintiff
17 will dismiss the case with each party to bear their own litigation costs and attorneys’ fees.
18 Accordingly, the parties request this abeyance to allow USCIS to conduct Plaintiff’s asylum
19 interview and then process his asylum application.

20 As additional time is necessary for this to occur, the parties request that the Court hold the
21 case in abeyance until December 4, 2024. The parties will submit a joint status report on or before
22 December 4, 2024.

23 //

24 //

1 DATED this 21st day of June, 2024.

2 Respectfully submitted,

3 TESSA M. GORMAN

GIBBS HOUSTON PAUW

4 TESSA M. GORMAN
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s/ Adam Boyd

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5 /s/Michelle R. Lambert

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12 *Attorneys for Defendants*

13 ***I certify that this memorandum contains 414***
14 ***words, in compliance with the Local Civil***
Rules.

ORDER

The case is held in abeyance until December 4, 2024. The parties shall submit a joint status report on or before December 4, 2024. It is so **ORDERED**.

DATED this 24th day of June, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE